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May 30, 2018

VIA CM / ECF FILING

Hon. Andrew J. Guilford
United States District Court
Central District of California
411 West Fourth Street, Courtroom 10D
Santa Ana, California 92701

Re: Courthouse News Service v. Yamasaki, Case No. 8:17-cv-00126 AG (KESx)

Dear Judge Guilford:

We write to notify the Court that we will be filing an amended version of the trial brief we filed yesterday (*see* ECF No. 169), so that the brief will not exceed 25 pages. In addition, and once we do so, we also will withdraw our motion for leave to file an over-length trial brief (*see* ECF No. 173).

We assumed that a trial brief of the type contemplated by this Court's May 23, 2018 summary bench trial Order (ECF No. 156) would not be subject to page limitations. However, we have now received and reviewed Courthouse News Service's trial brief (ECF No. No 166). We note that CNS limited *its* trial brief to 25 pages. Under the circumstances, it is both unfair and unnecessary for us to persist in seeking leave to file a brief that is almost double the length of CNS's brief. Hence, we notified John Amberg, CNS's lead trial counsel, by telephone this morning that we will be filing an amended trial brief that will not exceed 25 pages in length, and we will then withdraw our motion for leave to file a longer one. Mr. Amberg indicated that this approach was acceptable.

We sincerely apologize for any inconvenience this may have caused the Court or CNS.

Very truly yours,


Robert A. Naeve